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DECLARATION OF LAWRENCE  
JAMES SACCATO IN  
SUPPORT OF PLAINTIFF'S  
RESPONSE TO DEFENDANT  
CHRISTOPHER KAYSER'S  
REPLY TO PLAINTIFF'S  
RESPONSE AND OPPOSITION  
TO DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

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1. I am the Plaintiff in the pending action *Lawrence James Saccato v U.S. Bank National Association, ND*, US District Court Case No. 6:13-00173-AA.
2. On or about 5/10/2011, I obtained a copy of my credit report from Equifax a credit reporting agency. The report showed that US Bank had accessed the report on 02/01/2011, see exhibit PE A Pgs. 1-2, a true and correct copy attached. The access was during the litigation of case no. 6:10-cv-06244.
3. On or about 12/9/2010, I obtained a copy of my credit report from Transunion a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 07/2009 thru 11/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.

4. On or about 04/14/2010, I obtained a copy of my credit report from Equifax a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 05/2009 thru 04/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.
5. Upon review of my credit reports and during pending litigation I discovered Defendant U.S. Bank was listed as accessing my credit report on February 1, 2011 without my permission.
6. Vacura LLP was counsel of record for Defendant U.S. Bank in the underlying lawsuit.
7. Christopher Kayser was employed by the firm Larkins Vacura LLP and also employed by Defendant U.S. Bank defending its violations of the FCRA.
8. Prior to Mr. Kayser entering the case and placing Plaintiff's private information into the public record Ms. Danielle Hunsaker was the attorney of record who also worked for the Larkins Vacura LLP firm.
9. I have not been allowed to depose Mrs. Hunsaker or Mr. Kayser as to their dealings with U.S. Bank in reference to accessing my credit report without my permission.
10. Upon receiving a copy of the Defendant's motion for summary judgment and the declaration of Richard Martino, Doc #23, I discovered erroneous and inaccurate information in Mr. Martino's declaration.
11. I have not been allowed to depose Mr. Martino and dispute portions of Para. 5 & 7 in his declaration.
12. I believe that portions of Mr. Martino's declaration are erroneous, inaccurate and untruthful. See exhibits PE A Pgs. 1-6 attached herewith.

I Declare Under Penalty Of Perjury That The Foregoing Is True And Correct.

Executed this 3rd day of June, 2013.

LAWRENCE SACCATO  
Lawrence James Saccato pro se'  
C/o 6387 Old Hwy 99 S  
Roseburg Oregon 97470  
541-784-2284 mess.  
Ljsaccato@gmail.com

# EQUIFAX

## CREDIT FILE : May 10, 2011

**Personal Identification Information** (This section includes your name, current and previous addresses, and any other identifying information reported by your creditors.)

Name On File: Lawrence James Saccato  
Social Security # [REDACTED] • Date of Birth: [REDACTED]  
Current Address: [REDACTED] Reported: 04/2010  
Previous Address(es): [REDACTED] 97470 Reported: 04/2011  
Last Reported Employment: Lawrence J Sacc;  
Previous Employment(s): [REDACTED]

**ALERT(s):** File Blocked For Promotional Purposes

**Confirmation # 1130040240**

Please address all future correspondence to:



www.investigate.equifax.com



Equifax Information Services LLC

PO Box 105285

Atlanta GA 30348



(800) 270-3435

M - F 9:00am to 5:00pm in your time zone.

In order to speak with a Customer Service Representative regarding the specific information contained in this credit file, you must call **WITHIN 60 DAYS** of the date of this credit file **AND** have a copy of this credit file along with the confirmation number.

Exhibit PE A1  
EX-1077-11

| Company Information                                                                                      | Inquiry Date(s) |
|----------------------------------------------------------------------------------------------------------|-----------------|
| AR-US Bank Na<br>55402-4303<br>601 2nd Ave S Minneapolis, MN                                             | 02/01/2011 ←    |
| ND-Equifax<br>30374-0250<br>PO Box 740250 Atlanta, GA                                                    | 12/09/2010      |
| AR-VISA Dsnb<br>45040-8999<br>9111 Duke Blvd Mason, OH                                                   | 08/04/2010      |
| ND-Lexisnexis::SUBLIMITY INS CO AGE<br>1000 Alderman Dr Insurance P&C Agent Alpharetta,<br>GA 30005-4101 | 04/13/2010      |

Exhibit PE A2

Exhibit PE A3

**Account Review Inquiries**

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. These inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

**GE MONEY BANK/AMAZON PLC**

PO BOX 981432  
EL PASO, TX 79998-1432  
(866) 634-8379  
Requested On: 11/2010

**GEMB LENDING INC**

2995 RED HILL AVE  
COSTA MESA, CA 92626  
(800) 404-2647  
Requested On: 11/2010

**DISCOVER FINCL SVC LLC**

2500 LAKE COOK RD  
RIVERWOODS, IL 60015-3851  
(800) 347-2683  
Requested On: 11/2010

**NORTHSTAR PRIM CRED CRDS**

4285 GENESEE STREE  
CHEEKTOWAGA, NY 14225  
Phone number not available  
Requested On: 11/2010

**BANK OF AMERICA CARD SER**

655 PAPER MILL ROA  
MS/DES-013-02-02  
NEWARK, DE 19713  
(866) 352-1681  
Requested On: 10/2010

**PORTFOLIO RECOVERY ASSOC**

140 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available  
Requested On: 10/2010

**CBUSA/SEARS**

701 E 60TH ST NORT  
PO BOX 6241  
SIOUX FALLS, SD 57117  
(800) 917-7700  
Requested On: 10/2010

**PORTFOLIO RECOVERY ASSOC**

120 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available  
Requested On: 09/2010

**COLLECT AMERICA**

370 17TH ST STE 50  
DENVER, CO 80202-5622  
(303) 296-3345  
Requested On: 09/2010

**Permissible Purpose:** TO ACQUIRE/SERVICE  
/INSURE ACCOUNT

**THE BRACHFELD LAW GROUP**

800 W SAM HOUSTON  
SUITE 200  
HOUSTON, TX 77042  
Phone number not available  
Requested On: 08/2010

Exhibit PE A4

**PORTFOLIO RECOVERY ASSO**

140 CORPORATE BLVD  
 NORFOLK, VA 23502  
 Phone number not available

Requested On: 07/2010

**MIDLAND CREDIT MGMT INC**

8875 AERO DR STE 2  
 SAN DIEGO, CA 92123  
 (800) 265-8825

Requested On: 07/2010

Permissible Purpose: COLLECTION

**EQUABLE ASCENT FINANCIAL**

ONE NORTHBROOK PLA  
 5 REVERE DRIVE, ST  
 NORTHBROOK, IL 60062  
 (847) 418-2081

Requested On: 07/2010

**CAVALRY PORTFOLIO SVCS**

500 SUMMIT LAKE DR  
 STE 4A  
 VALHALLA, NY 10595  
 (800) 501-0909

Requested On: 07/2010

**EQUABLE ASCENT FINANCIAL**

ONE NORTHBROOK PLA  
 5 REVERE DRIVE, ST  
 NORTHBROOK, IL 60062  
 (847) 418-2081

Requested On: 07/2010

**ARS NATIONAL**

201 WEST GRAND  
 ESCONDIDO, CA 92025  
 Phone number not available

Requested On: 05/2010

**AFFINION - PRIVACYGU via CREDCO**

100 CONNETTICUT AVE  
 NORWALK, CT 06850  
 (866) 990-7328

Requested On: 04/2010

Permissible Purpose: CONSUMER INITIATED TRANSACTION

**STATE FARM INS-26A**

4600 25TH AVE NE  
 SALEM, OR 97313  
 (503) 463-3000

Requested On: 04/2010

Permissible Purpose: INSURANCE UNDERWRITING

**DISCOVER FINANCIAL SERVI**

2500 LAKE COOK ROA  
 RIVERWOODS, IL 60015  
 Phone number not available

Requested On: 02/2010

**STATE FARM INS-26A**

4600 25TH AVE NE  
 SALEM, OR 97313  
 (503) 463-3000

Requested On: 11/2009

Permissible Purpose: INSURANCE UNDERWRITING

**GRYPHON**

3715 DAVINCI COURT  
 STE 200  
 NORCROSS, GA 30092  
 Phone number not available

Requested On: 10/2009

**EQUABLE ASCENT FINANCIAL**

ONE NORTHBROOK PLA  
 5 REVERE DRIVE, ST  
 NORTHBROOK, IL 60062  
 (847) 418-2081

Requested On: 10/2009

**NCO FINANCIAL SYSTEMS**

507 PRUDENTIAL ROA  
 HORSHAM, PA 19044  
 Phone number not available

Requested On: 07/2009

**Special Messages**

**PROMOTIONAL OPT-OUT:** This file has been opted out of promotional lists supplied by TransUnion

(Note: This statement has no expiration date.)

The opt-out on your file will remain in effect until the expiration date specified above, unless you request it to be made permanent. To permanently opt out of promotional lists provided by TransUnion, you must send us a signed 'Notice of Election' form, which can be obtained by writing us or calling us at 800-916-8800 and speaking with a representative.

| Company Information                                                                                          | Inquiry Date(s)       |
|--------------------------------------------------------------------------------------------------------------|-----------------------|
| First Advantage Credco/<br>12395 First American Way Affinion/Prvgrd Poway,<br>CA 92064-6897                  | 04/13/2010            |
| ND-Choicepoint::SUBLIMITY INS CO AGE<br>1000 Alderman Dr Insurance P&C Agent Alpharetta,<br>GA 30005-4101    | 04/13/2010            |
| AR-US Bank Na<br>601 2nd Ave S Minneapolis, MN<br>55402-4303                                                 | 04/06/2010            |
| AR-Sears/Cbsd<br>PO Box 6282 Sioux Falls, SD<br>57117-6282                                                   | 03/10/2010            |
| Dish Network<br>9601 S Meridian Blvd Bldg 1 Floor 3 Cmo Englewood,<br>CO 80112-5905                          | 02/16/2010            |
| AR-Macy's Dsnb<br>9111 Duke Blvd Mason, OH<br>45040-8999                                                     | 02/04/2010            |
| AR-Gemb Lending Inc.<br>3355 MICHELSON DR 3355 Michelson Dr 2nd Fl<br>IRVINE, CA 92612 Phone: (800) 404-2647 | 12/31/2009            |
| AR-Gemb/Amazon Plcc<br>PO Box 981432 El Paso, TX<br>79998-1432 Phone: (866) 634-8379                         | 12/31/2009            |
| AR-Citi SD- The Home Depot<br>541 Sid Martin Rd Citibank Gray, TN<br>37615-6210                              | 12/25/2009            |
| AR-Gemb/RV<br>PO Box 6153 Rapid City, SD<br>57709-6153 Phone: (866) 220-9432                                 | 11/26/2009 09/10/2009 |
| AR-Gemb/Lowes<br>PO Box 981400 C811 El Paso, TX<br>79998-1400 Phone: (800) 444-1408                          | 11/13/2009            |
| AR-Capone Bank<br>PO BOX 9180 PLEASANTON, CA<br>94588                                                        | 08/02/2009            |
| AR-Citi Cards Cbsdna<br>701 E 60th St N Sioux Falls, SD<br>57104-0432                                        | 07/12/2009            |
| AR-Advanta Bancorp<br>1020 Laurel Oak Rd Voorhees, NJ<br>08043-3505                                          | 06/10/2009            |
| AR-Capital One<br>PO Box 26030 Richmond, VA<br>260-6030                                                      | 05/28/2009            |

( On Next Page )

Exhibit PEAS

| Company Information                                                | Inquiry Date(s) |
|--------------------------------------------------------------------|-----------------|
| AR-FIA Csha<br>655 Papemill Rd MS1332 Wilmington, DE<br>19884-1510 | 05/07/2009      |

Exhibit DE A6

## CERTIFICATE OF SERVICE

I hereby certify that a copies of the forgoing Plaintiff's Response and supporting declaration to Defendants Kayser's Motion for Summary Judgment for Case # 6:13-cv-00173-AA, was sent by First Class Mail with postage prepaid through the United States Post Office to:

Clerk of the Court  
Wayne L. Morse  
United States Courthouse  
405 East Eighth Avenue  
Eugene, Oregon 97401

David A. Jacobs  
LUVAAS COBB  
777 High Street Ste 300  
Eugene, Oregon 97401

William L. Larkins, Jr.  
Larkins Vacura LLP  
621 SW Morrison St. Suite 1450  
Portland, Oregon 97205

They were deposited in the United States Post Office in Roseburg, Oregon on June 3, 2013.

LAURENCE SACCATO  
Lawrence James Saccato, Plaintiff  
c/o 6387 Old Highway 99 S  
Roseburg, Oregon 97471  
541-784-2284 mess.  
ljsaccato@gmail.com